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In re Application of :
Jean Rommelaere et al :
Serial No.: 09/807,579 : PETITION DECISION
Filed: November 28, 2001 :
Attorney Docket No.: 06528.0127.NPUS00 :

This is in response to the petition under 37 CFR 1.181, filed August 19, 2004, requesting withdrawal of abandonment based on failure to receive an Office action. The delay in acting on this petition is regretted and was likely caused by Office migration to an Imaged File Wrapper and failure to notify the deciding official of the existence of the petition.

A review of the file history shows that the examiner mailed an Office action to applicants on December 2, 2003, setting a three month shortened statutory period for reply. Upon failure to receive a reply a Notice of Abandonment was mailed to applicants on July 28, 2004. Applicants filed this petition on August 19, 2004, requesting revival of the application based on failure to receive the Office action and providing the required statements and evidence from docket reports. In view of the evidence presented that the Office action was not received the Notice of Abandonment is withdrawn and the application is restored to pending status with the mailing of this decision.

The petition is **GRANTED**.

The application will be forwarded to the examiner for mailing of a new Office action.

Should there be any questions about this decision please contact William R. Dixon, Jr., by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0519 or by facsimile sent to the general Office facsimile number, 571-273-8300.


John L. LeGuyader

Director, Technology Center 1600